

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WESTGATE PETROLEUM COMPANY,  
INC., d/b/a Helms Petroleum,

No. C 16-00115 WHA

Plaintiff,

v.

INTERNATIONAL INSURANCE  
COMPANY OF HANNOVER, SE,  
ZURICH AMERICAN INSURANCE  
COMPANY,

**ORDER ON WESTGATE'S  
MOTION FOR LEAVE TO  
FILE A THIRD AMENDED  
COMPLAINT**

Defendants.

INTERNATIONAL INSURANCE  
COMPANY OF HANNOVER, SE,

Cross-Complainant,

v.

ZURICH AMERICAN INSURANCE  
COMPANY,

Cross-Defendant.

Westgate Petroleum Company, Inc., seeks leave to file a third amended complaint, which would add Trevor Hall Trucking, Inc., as a defendant. Trevor Hall has already been named as a cross-defendant in another party's answer and cross-complaint, although it has not yet been served. The defendants already in this action do not oppose Westgate's proposed amendment (Dkt. Nos. 62, 63).

1 This order finds there is good cause to amend the scheduling order to allow Westgate to  
2 add Trevor Hall as a defendant after the deadline set by the case management order (Dkt.  
3 No. 22) and that leave to amend is appropriate under Rule 15(a)(2). Accordingly, Westgate's  
4 motion is **GRANTED**. Westgate shall promptly file its third amended complaint as proposed in  
5 its motion.

6 In light of this development, at the case management conference scheduled for  
7 **DECEMBER 8**, all parties shall please be prepared to discuss whether the case should be  
8 remanded, inasmuch as the addition of Trevor Hall destroys diversity, and there are no federal  
9 questions in the complaint.

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11 **IT IS SO ORDERED.**

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13 Dated: December 7, 2016.

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15 WILLIAM ALSUP  
16 UNITED STATES DISTRICT JUDGE  
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